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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,271	06/01/2001	James S. Prater	NSC.01US01	2608

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EXAMINER

NGUYEN, DUNG X

ART UNIT PAPER NUMBER

2631

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/872,271

Applicant(s)

PRATER, JAMES S.

Examiner

Dung X Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 7 - 16 and 18 is/are allowed.
- 6) ☒ Claim(s) 1,3, and 17 is/are rejected.
- 7) ☒ Claim(s) 2 and 4 - 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                                  |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                      | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                             | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>29 May 2003</u> . | 6) <input type="checkbox"/> Other: _____                                                |

***DETAILED ACTION***

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

2. **Claim 1** recites the limitation "said wireless receiver circuit" in line 10. There is insufficient antecedent basis for this limitation in the claim.
3. **Claim 3** recites the limitations of "said power consumption" and "said receiver circuit" as recited in line 7. There are insufficient antecedent basis for these limitations in the claim.
4. **Claim 17** recites the limitation "said wireless receiver circuit" in line 10. There is insufficient antecedent basis for this limitation in the claim.

***Allowable Subject Matter***

5. **Claims 1, 3, and 17 would be allowable** if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
6. **Claims 2 and 4 - 6 would be allowable** if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
7. **Claims 7 – 16 and 18 are allowed.** The following is a statement of reasons for the indication of allowable subject matter:

Regarding to the claimed invention, the prior art of record fails to show or render obvious of a sampling circuit for a receiver in a wireless communication device that utilizes techniques for ensuring the system components do not be saturated by blocker signals as a result of the

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removal of the discrete filter. The dynamic range of a sampling circuit can be altered in the presence of a blocker signal to ensure that the baseband signal is deleted.

Song (US patent # 6,775, 345 B1), Petrus (US patent # 6,177,906 B1), and Dariibi (US patent # 6,066,980) lack of the steps of wireless communication device that utilizes techniques for ensuring the system components do not be saturated by blocker signals as a result of the removal of the discrete filter, or are not applying a filter to the input signal in response to the control signal so that the power consumption of the receiver circuit is minimized, the filter being integrated into the receiver circuit.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schollhorn (US patent application publication # 2001/0021939 A1) discloses a method for selective filtering.

Song (US patent # 6,775,345 B1) discloses a delay locked loop based data recovery circuit for data communication.

Petrus (US patent # 6,177,906 B1) discloses a multimode iterative adaptive smart antenna processing method and its corresponding apparatus..

Daribi (US patent # 6,066,980) discloses a near Nyquist rate variable rate receiver.

Casabona et al. (US patent # 5,872,540) disclose digital interference suppression for radio frequency interference cancellation.

9. This application is in condition for allowance except for the following formal matters:

Claims 1, 3, and 7 have been denied under U.S.C. 112., 2<sup>nd</sup> paragraph.

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Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

***Contact Information***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung X. Nguyen whose telephone number is (571) 272-3010. The examiner can normally be reached on Monday through Friday from 8:00 AM to 17:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Mohammad H. Ghayour can be reached on (571) 272-3021. The fax phone numbers for this group is (571) 273-3021.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

DXN  
March 25, 2005

  
**MOHAMMED GHAYOUR**  
**SUPERVISORY PATENT EXAMINER**